

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 OIC-02 OES-09 DOE-15 SOE-02
ACDA-12 SAS-02 SS-15 CIAE-00 INR-10 IO-13 NSAE-00
NSC-05 EB-08 NRC-05 DODE-00 SP-02 CEQ-01 PM-05
/122 W

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FM AMEMBASSY HELSINKI
TO SECSTATE WASHDC 3179
INFO AMEMBASSY OSLO
AMEMBASSY STOCKHOLM

C O N F I D E N T I A L HELSINKI 2935

EO 11652: GDS
TAGS: ENRG, MNUC, TECH, PARM, FI
SUBJECT: NEGOTIATION OF NEW AGREEMENTS FOR PEACEFUL NUCLEAR COOPERATION

REF: A) HELSINKI 1370, B) STATE 220316

1. CHARGE HAS DISCUSSED ON SEVERAL OCCASIONS WITH MFA DEPUTY UNDER SECRETARY PAUL GUSTAFSSON THE PROPOSED NEGOTIATIONS BETWEEN FINLAND AND THE U.S. OF A REVISED AGREEMENT ON COOPERATION CONCERNING PEACEFUL USES OF NUCLEAR ENERGY. GUSTAFSSON HEADED THE FINNISH SIDE AT THE RECENT TALKS WITH AUSTRALIA (CANBERRA A-197, AUG 2, 1978) AND WOULD PRESUMABLY DO SO AT TALKS WITH THE U.S. CHARGE LETTER OF SEPTEMBER 1 TO GUSTAFSSON, PER INSTRUCTION IN STATE 220316, REQUESTED A RESPONSE ABOUT A POSSIBLE FIRST ROUND OF NEGOTIATIONS IN LATE SEPTEMBER/EARLY OCTOBER IN WASHINGTON OR HELSINKI.

2. MFA ADVISED THE EMBASSY ON SEPTEMBER 11 (GUSTAFSSON PRESENTLY ABSENT FROM HELSINKI) THAT A RESPONSE TO THE NEGOTIATION PROPOSAL WOULD PROBABLY HAVE TO WAIT
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UNTIL AFTER SEPT. 18 OR LATER. MFA DID NOT INDICATE WHETHER SUGGESTED TIMEFRAME IS FEASIBLE FOR FINNISH SIDE.

3. IN EARLIER DISCUSSIONS WITH GUSTAFSSON, CHARGE GLEANED FOLLOWING VERY PRELIMINARY AND INFORMAL REFLECTIONS ON MODEL AGREEMENT WHICH APPARENTLY DO

NOT YET ENCOMPASS VIEWS OF OTHER INTERESTED GOF
PARTIES AND ARE PRETTY MUCH GUSTAFSSON'S PERSONAL
VIEWS, E.G.:

A) ARTICLE 1, PARA 2 - LANGUAGE AT END OF PARA 2
IS SOMETHING FINNS MIGHT OBJECT TO IN PRINCIPLE,
PREFERRING TO AGREE ON ALL THE BASICS IN ONE DOCUMENT
RATHER THAN OPEN-ENDED APPROACH.

B) ARTICLE 9, PARA 1 - WHAT THE U.S. WANTS TO
RESERVE AS ITS RIGHT GOES RATHER FAR (I.E. REVIEWING
THE DESIGN OF A REACTOR BUILT IN FINLAND BY ANOTHER
COUNTRY). OR IS U.S. SIDE TALKING ONLY OF A U.S.
REACTOR SOLD ABROAD, ETC? IN GENERAL ARTICLE 9
GIVES WIDE RIGHTS TO SUPPLIER WITH NO RECIPROCAL
ELEMENTS. LOTS TO DISCUSS IN ALL OF ARTICLE 9.

C) THERE ARE NEW DEFINITIONS AND EXPRESSIONS
IN THE MODEL AGREEMENT WITH WHICH THE FINNS ARE NOT
FAMILIAR FROM THE CURRENT AGREEMENT. THESE WILL NEED
TO BE EXAMINED.

D) ARTICLE 10 - VERY INTERESTING AND BASICALLY
A GOOD IDEA.

4. THESE INITIAL REFLECTIONS INDICATE THAT THE GOF
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HAS NOT COME YET TO ANY GOVERNMENT-WIDE CONSENSUS ON
INITIAL OFFICIAL COMMENTS ON THE MODEL TREATY.
AT ONE POINT GUSTAFSSON SUGGESTED THAT AN INITIAL
POSITION MIGHT NOT BE READY (INCLUDING ALL
INTERESTED MINISTRIES AND AGENCIES INPUT) UNTIL LATE
OCTOBER.

5. GUSTAFSSON ASKED WITH WHOM THE U.S. HAS ALREADY
CONDUCTED NEGOTIATIONS AND/OR WITH WHAT COUNTRIES
HAVE NEW AGREEMENTS BEEN SIGNED. CHARGE SAID HE
WOULD ENQUIRE OF WASHINGTON WHAT INFORMATION MIGHT
BE AVAILABLE AT THIS POINT.

6. WE WILL ADVISE THE DEPARTMENT IMMEDIATELY ON
RECEIPT OF ANY INDICATIONS THAT THE LATE SEPTEMBER-
EARLY OCTOBER TIME IS ACCEPTABLE TO THE GOF.
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